

No. 14809

**United States
Court of Appeals
for the Ninth Circuit**

MYRTLE HOLLMANN,

Appellant,

vs.

CATHERINE BRADY,

Appellee.

**Supplemental
Transcript of Record**

**Appeal from the District Court
for the Territory of Alaska
Third Division**

FILED

MAR - 2 1956

PAUL P. O'BRIEN, CLERK

No. 14809

**United States
Court of Appeals
for the Ninth Circuit**

MYRTLE HOLLMANN,

Appellant,

vs.

CATHERINE BRADY,

Appellee.

**Supplemental
Transcript of Record**

**Appeal from the District Court
for the Territory of Alaska
Third Division**

In the District Court for the District of Alaska,
Third Division

A-7523

TRANSCRIPT OF EXCERPT
OF PROCEEDINGS

On Monday, January 31, 1955, 10:00 o'clock a.m., in open court at Anchorage, Alaska, before the Honorable J. L. McCarrey, Jr., U. S. District Judge, the following proceedings were had:

The Court: You may call the roll of the jury.

(Thereupon, the Deputy Clerk called the roll of the petit jury.)

Deputy Clerk: Regular panel of petit jurors is all present, your Honor, except Bonnie B. McBride.

The Court: Very well. May I have the list, please. * * *. The court would ask you to read the panel. We are going to have to split you up. We have two jury trials today and the first list called will be the list that will go to the Presbyterian Church. Those of you who are not called will remain in this courtroom. The Presbyterian Church is at the corner of 5th and "F" Streets and you enter from the 5th Avenue side.

(Thereupon, the Deputy Clerk read the list.)

The Court: Now, ladies and gentlemen, it is very important that all of you whose names were just called go to the Presbyterian Church. Owing to the fact Mrs. McBride isn't here we will barely have a quorum so you will have to be there, otherwise, the

court will not be able to proceed with the trial, so those of you whose names were just called please report there. Is there any question? This court will stand in recess until the call of the gavel.

United States of America,
Territory of Alaska—ss.

I, Iris L. Stafford, Official Court Reporter of the above-entitled court, hereby certify:

That the foregoing is a true and correct transcript of the excerpt of proceedings taken by me in stenograph in open court at Anchorage, Alaska, on January 31, 1955, and thereafter transcribed by me.

/s/ IRIS L. STAFFORD.

In the District Court for the District of Alaska,
Third Division

On Monday, January 31, 1955, 10:05 o'clock a.m., in open court, Presbyterian Church, Anchorage, Alaska, before the Honorable J. L. McCarrey, Jr., U. S. District Judge, the following proceedings were had:

—————

The Court: Mr. Hellenthal and Mr. Renfrew, the way this jury was chosen to come over here was every other name throughout the entire alphabet, so that——

Mr. Renfrew: Well, I have serious doubt, your Honor, that that would not be reversible error in a case of this kind. I don't intend to take any objection to it, but I do question that seriously.

The Court: Well, will you come and see the court and the court would like to have your thinking in that respect. We have a panel. We have to have 24.

Mr. Renfrew: Your Honor, before you go ahead at all, I think this case was settled. * * *

Mr. Hellenthal: Yes, the case has been settled, your Honor.

The Court: That being the case we won't have to worry about reversible error.

Mr. Renfrew: Certainly not in this case.

United States of America,
Territory of Alaska—ss.

I, Bonnie T. Brick, Special Official Court Reporter of the above-entitled court, hereby certify:

That the foregoing is a true and correct transcript of excerpt of proceedings taken by me in stenograph in open court, Presbyterian Church, Anchorage, Alaska, on January 31, 1955, and thereafter transcribed by me.

/s/ BONNIE T. BRICK.

(Duly certified.)

